

Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION

Approved July 7, 2011

THURSDAY, June 2, 2011, 7:00 p.m.
Council Chambers, 26379 Fremont Road

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Abraham and Commissioners: Clow, Collins, and Harpootlian

Absent: Commissioner Partridge

Staff: Debbie Pedro, Planning Director; Richard Chiu, City Engineer; Brian Froelich, Associate Planner; Cynthia Richardson, Consultant Planner; and Victoria Ortland, Planning Secretary

2. PRESENTATIONS FROM THE FLOOR - none

3. PUBLIC HEARINGS

Planning Commission Ex Parte Contacts Policy Disclosure: Commissioner Harpootlian had met with the applicant for Item 3.1; and Karen Devich, an interested party, for Item 3.2.

- 3.1 LANDS OF AHY, 13500 Fremont Road; File #77-11-ZP-SD-CDP; A request for a Conditional Development Permit for a 788 square foot single story addition on a 0.48 acre lot (maximum height: 14 feet). CEQA Review: Categorical Exemption per Section 15301 (e) (staff-Brian Froelich).

Brian Froelich, Associate Planner, presented the staff report for the 788 square foot addition to a single story residence on a lot with a .4275 lot unit factor.

Reza Ahy, applicant, addressed the Planning Commission and offered to answer questions regarding the project.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioners Clow, Collins, Harpootlian, and Chairman Abraham supported the application.

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Clow and seconded by Commissioner Harpootlian to approve the requested Conditional Development Permit

AYES: Commissioners Clow, Collins, Harpootlian, and Chairman Abraham
NOES: None
ABSENT: Commissioner Partridge

This item will be forwarded to a future City Council meeting.

3.2 INITIAL STUDY AND NEGATIVE DECLARATION FOR THE GENERAL PLAN PATHWAYS ELEMENT MASTER PATH MAP AMENDMENT. Addition of a future off-road pathway connecting La Loma Drive to Rhus Ridge Road. The location of the proposed future off-road pathway is along a private right-of-way (off of La Loma Drive) accessing four homes and along the northern property line of 25265 La Loma Drive. CEQA Review: Mitigated Negative Declaration (staff-Cynthia Richardson).

Cynthia Richardson, Consultant Planner, presented the staff report to amend the General Plan Pathways Element Master Path Plan. The proposed amendment would add a future off road path delineation on the Pathways Map between La Loma Drive and Rhus Ridge Road. The proposed future off road path is an important connection between La Loma Drive and Rhus Ridge Road for the area newly annexed into Los Altos Hills.

Commissioner Clow asked if the proposed pathway was absent from the Master Path Plan Pathways Map because the area was recently annexed. The recommendation would be an update to the Pathways Plan for consistency with the new annexation.

Eileen Gibbons, Pathways Committee Chairman, confirmed that the Committee had requested amendment of the Pathways Map from the City Council.

Commissioner Collins felt the request for amending the map was a unique case created by the annexation of the area.

Chairman Abraham confirmed with Eileen Gibbons that part of the proposed pathway would be over the existing private road. The remainder would be a native off road pathway between the two properties.

OPENED PUBLIC HEARING

Richard Herzog, La Loma Drive, stated that the information regarding the private road and proposed location of the new pathway was inaccurate. The existing pathway, which he allows neighbors to use, is located through the middle of his property and not along the boundary lines of the two lots. He did want the proposed pathway easement over the pathway crossing over the middle of his property. He felt the information reflected in the Mitigated Negative Declaration was in error because the information related to the pathway across his lot and not a potential pathway along the property line. The land features along the property boundaries are different

than across the property and contain large trees and bushes inhabited by many birds and animals. Storm water drainage in the neighborhood would be affected and erosion increased by installation of a pathway requiring removal of the established vegetation.

Commissioner Harpootlian explained that the proposed route recommended of the Pathways Committee was along the property line.

Richard Herzog stated that his adjacent neighbor, Steve Devich, was a surveyor with knowledge of the property boundary lines.

Chairman Abraham and Commissioner Collins asked if the wrong area had been examined for the CEQA study.

Discussion ensued regarding the CEQA study, pathway route, and property boundaries.

Eileen Gibbons stated that the Pathways Committee had walked both the existing trail across the property and along the fence line where the path was proposed. The pathway would be a native path and meander around the trees to preserve the vegetation. The proposal would make it possible to identify and plan for pathways of the future.

Richard Herzog said that the value of his property would be impacted by the future pathway when his property was sold.

CLOSED PUBLIC HEARING

Commissioner Harpootlian asked staff if whether the proposed pathway between the properties was the area reviewed for the CEQA study.

Debbie Pedro, Planning Director, replied that the proposed off road path as denoted on the map was not a surveyed route but shown as a connection between the two neighborhoods. Site review and pathway route are done at the time of a major development submittal. The route between the properties was the area studied for the Mitigated Negative Declaration.

Commissioner Clow suggested continuing the item to the next Planning Commission meeting considering the location of the proposed pathway route, the complication of an existing shed on the property line, and the actual property boundaries.

Chairman Abraham and Commissioner Harpootlian agreed.

Staff offered to work with Richard Herzog and Steve Devich to review the property lines and pathway location.

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Clow and seconded by Commissioner Harpootlian to continue the project to the July 7, 2011 Planning Commission meeting.

AYES: Commissioners Clow, Collins, Harpootlian, and Chairman Abraham
NOES: None
ABSENT: Commissioner Partridge

- 3.3 INITIAL STUDY AND NEGATIVE DECLARATION FOR THE BARRON CREEK RESTORATION/MAINTENANCE PROJECT. Annual maintenance of the portion of Barron Creek located on the south side of West Fremont Road in a storm drain easement along west and south property lines of 26170 West Fremont Road. CEQA Review: Mitigated Negative Declaration (staff-Cynthia Richardson).

This item will be continued to a future Planning Commission meeting.

- 3.4 AMENDMENTS TO SECTION 10-1.202 OF THE LOS ALTOS HILLS MUNICIPAL CODE (BASEMENT ORDINANCE). The draft ordinance amendment includes the addition of a structure height limit for daylighted basements and a limit to bunker size. CEQA Review: Exemption per Section 15061 (b) (3) (staff-Brian Froelich).

Brian Froelich, Associate Planner, explained that a sub-committee had been formed by the City Council in February 2011 to review the Basement Ordinance and Grading Policy. In addition to staff, sub-committee members included: Ginger Summit, Mayor; Eric Clow and Richard Partridge, Planning Commissioners; Peter Duxbury, Architect; and Mark Helton, Civil Engineer. He summarized the proposed changes to the Basement Ordinance regarding basement criteria, basement height, and limiting bunkers to 1,000 square feet.

Commissioner Harpootlian asked how the proposed 27-foot height limit for basements would function in regard to increased setbacks for estate homes.

Brian Froelich recommended inclusion of a reference to Section 10-1.504 for the applicable height standard.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Chairman Abraham was concerned over the size limitation on bunker square footage to only 1,000 square feet. He supported the use of bunkers and suggested an increase to a 1,500 square foot size limit.

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Collins and seconded by Commissioner Harpootlian to forward a recommendation to the City Council to adopt a resolution approving the amendments to the Zoning Ordinance Section 10-1.202 Basement Ordinance; with the exception that the bunker limit shall be 1,500 square feet and the height limit 27' or pursuant to the limits of the Height Ordinance.

AYES: Commissioners Clow, Collins, Harpootlian, and Chairman Abraham
NOES: None
ABSENT: Commissioner Partridge

- 3.5 AMENDMENTS TO THE GRADING POLICY. Proposed amendments include modifications to grading limits and require terracing for cuts greater than six (6) feet. CEQA Review: Exemption per Section 15061 (b) (3) (staff Brian Froelich).

Brian Froelich, Associate Planner, explained the changes to the Grading Policy recommended by the Basement Ordinance and Grading Policy sub-committee regarding terracing with retaining walls, accessory buildings profiles, finished floor standards, driveway cut and retaining walls adjacent to basement garages, and driveway cut and fill related to fire department requirements.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Harpootlian had concerns with the wording regarding retaining walls and terracing.

Commissioner Collins felt that a house should be designed to fit the site taking into consideration Grading Policy limits.

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion made by Commissioner Clow and seconded by Commissioner Collins to forward a recommendation to the City Council to approve the proposed amendments to the Grading Policy with the change to the wording of Item #3 to read "terracing shall be utilized for cuts exceeding six feet".

AYES: Commissioners Clow, Collins, Harpootlian, and Chairman Abraham
NOES: None
ABSENT: Commissioner Partridge

This item will be forwarded to a future City Council meeting.

4. OLD BUSINESS – none

5. NEW BUSINESS – none

6. **REPORTS FROM CITY COUNCIL MEETINGS**

- 6.1 Planning Commission Representative for May 19 – Commissioner Partridge
- 6.2 Planning Commission Representative for June 16 – Chairman Abraham
- 6.3 Planning Commission Representative for July 21 – Commissioner Harpootlian

7. **APPROVAL OF MINUTES**

- 7.1 Approval of May 5, 2011 minutes

MOTION MADE, SECONDED, AND PASSED BY VOICE VOTE: Motion by Commissioner Collins and seconded by Commissioner Clow to approve the May 5, 2011 minutes as presented.

AYES: Commissioners: Collins, Clow, Harpootlian, and Chairman Abraham
NOES: None
ABSENT: Commissioner Partridge

8. **REPORTS FROM FAST TRACK MEETING – MAY 31, 2011**

- 8.1 LANDS OF YU, 12697 Roble Ladera Road; File #284-10-ZP-SD-GD; A request for a Site Development Permit for a 4,963 square foot new two story residence (Maximum height: 27'). CEQA Review: Categorical Exemption per Section 15303 (a) (staff-Nicole Horvitz) (approved with conditions).
- 8.2 LANDS OF YONG, 13456 South Fork Lane; File #249-10-ZP-SD-GD; A request for a Site Development Permit for a 7,337 square foot new residence with a 3,647 square foot basement and an attached secondary dwelling unit (Maximum height: 27'). Other site improvements include a re-graded driveway and a new 240 square foot swimming pool. CEQA Review: Categorical Exemption per Section 15303 (a) & (e) (staff-Brian Froelich) (continued to a future Planning Commission meeting).

9. **REPORT FROM SITE DEVELOPMENT MEETING – MAY 24, 2011**

- 9.1 LANDS OF RAFFETTO, 14380 Manuella Road; File #75-11-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a 1,070 square foot addition and interior remodel approved on August 28, 2007. CEQA review: Categorical Exemption per Section 15304 (b) (staff-Nicole Horvitz) (approved with conditions).

10. **ADJOURNMENT**

The meeting was adjourned by consensus at 8:39 p.m.

Respectfully submitted,

Victoria Ortland, Planning Secretary